

GOVERNMENT NOT TO GO FOR THE BEEF TRUST

Attorney General Decalres
Corporations Did Not
Intend to Break
Laws

PRESSING SUITS WILL
DO PUBLIC NO GOOD

Wickersham Addresses Letter
to Firms of Combine Stating
His Attitude

(Special to the Review.)
WASHINGTON, April 29.—The beef
trust is not to be prosecuted, Attorney
General Wickersham having address-
ed a letter to the beef trust firms say-
ing that no public services will be
served by pressing the suits, because
he is convinced the trust did not in-
tend to do wrong.

The action of the new attorney gen-
eral, who was formerly personal at-
torney for J. P. Morgan and partner
of Brother Henry Taft, of Wall Street,
New York, is attracting criticism
abundantly from the Roosevelt forces.
It is declared it was the intention of
the Roosevelt administration to pro-
ceed with the prosecution.

The circumstances in the beef trust
cases are worth relating. Under the
Roosevelt regime, James R. Garfield
was secretary of commerce and labor
and he gathered a vast amount of
evidence against the beef trust. This
was turned over to U. S. District At-
torney Sims of Chicago and pre-
sented to the federal grand jury for
indictment. The work of preparing
and presenting the evidence had not
been concluded when Roosevelt went
out of office on March 4. Now Wic-
kersham has informed the packers
they will not be prosecuted.

The beef trust prosecution was the
biggest case pending when Roosevelt
left office. Carried to its
logical conclusion, it would have
meant the trial of a number of prom-
inent and rich Chicago men interest-
ed in packing business—a trial in which
conviction would have meant fines
and jail. Wickersham's critics argue
that the grand jury in Chicago and
United States District Attorney Sims
in charge of the case would be the
best judges of the evidence which
has been heard during the last three
months. Lawyers are not wanting
who look upon the action of Attorney
General Wickersham as a clear usur-
pation of authority. In any case, it
is declared, it is a strain of the law
to protect the member.

The reason for his action, as given
by Attorney General Wickersham, is
his belief that members of the beef
trust had no intent to violate the law.
He says:
"It does not clearly appear that
your company intended to use this
method of computing the cost value
of its product as a device to affect
the charges of the carriers transport-
ing such product, and the department
does not believe that any public ser-
vice would be rendered by making
at this time a test case of past trans-
actions."

Exception is taken to the Attorney
General's assertion that the cases in
question are "test" cases. It is as-
serted that Morris & Co., and three
other large packers of Chicago, were
prosecuted under indictments almost
exactly similar to those now being
quashed. Each company was fined
\$15,000, and paid the fine.

This case went on appeal to the
United States Supreme Court, where,
without any division of the bench, the
convictions were sustained. The point
of criminal intent in such cases was
treated by the Supreme Court in these
words:

"There is a class of cases within
which we think the one under consid-
eration falls, where purposely doing
a thing prohibited by the statute may
amount to an offense." (Armour Pack-
ing Co. vs. the United States, 209 U.
S. at page 85.)

Morris, Armour, Swift and Cudahy
(Continued on Page Eight.)

HOTEL DETECTIVE IS SHOT BY POLE

Police Believe Shooting To Be
Culmination of Old
Feud

DENVER, April 29.—Thomas Hen-
nessy, hotel detective in the em-
ploy of the Albany hotel, and former-
ly house detective at the Auditorium
hotel, in Chicago, was shot and in-
stantly killed in the lobby of the Al-
bany hotel today by C. C. Slek of
Fort Calhoun, Neb. Slek says he is
a Pole and declares he does not know
why he shot Hennessey. The police
are of the opinion that the shooting
is the culmination of an old feud.

SUMMER HOME OF THE NATION'S CHIEF EXECUTIVE



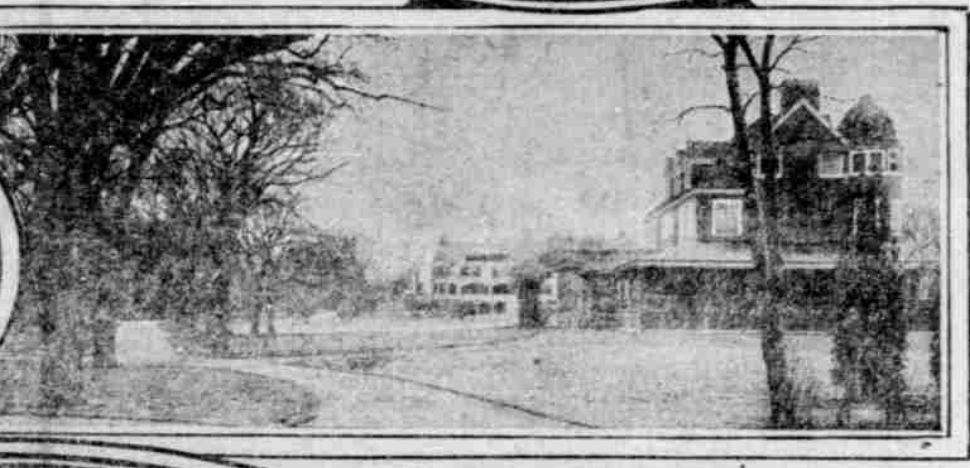
PRESIDENT TAFT'S BOAT LANDING.



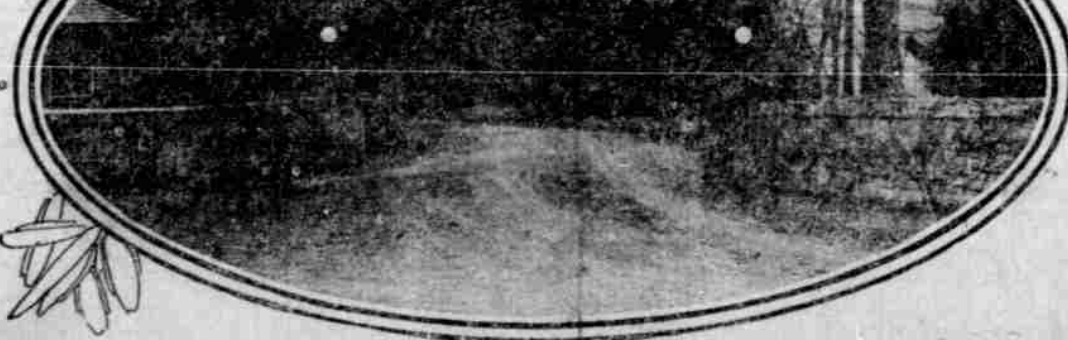
THE STABLE



VIEW FROM
VERANDA OF THE
TAFT SUMMER HOME



PRESIDENT TAFT'S HOUSE
AND THOMAS P. BEAL'S
HOUSE (AT THE REAR)
SHOWING THE TREES
WHICH LINE THE
WINDING AVENUE.



ENTRANCE TO THE SUMMER CAPITOL.

MEXICANS WILL PLEAD MONDAY

Demurrer Overruled Yesterday
After Lengthy Argument
By Attorneys

Full Text of the Indictment
Against the Alleged
Revolutionists

(Special to the Review.)
TOMBSTONE, April 29.—A demur-
rer was filed this morning by W. B.
Cleary in behalf of each of the three
alleged revolutionists, Magon, Villareal
and Rivera. The demurrer al-
leges three distinct grounds why the
indictments should be dismissed. The
first one goes to the fact that it is
not certain or direct in regard to the
offense charged, and also that the of-
fense charged is not directly or cer-
tainly alleged; that there is more
than one offense charged, and last,
that the alleged crime is not a public
offense. The argument on the de-
murrer was taken up this afternoon
and a number of authorities submit-
ted by the attorneys on both sides.
The demurrer was overruled and the
defendants then took until Monday to
plead.

The Indictment
Following is a copy of the indict-
ment on which Magon, Villareal and
Rivera will go to trial, perhaps early
next week:

"In the District Court of the Second
Judicial District of the Territory of
Arizona, the 28th day of December,
1907.
"R. Flores Magon, Antonio J. Vil-
lareal, Librado Rivera, and Manuel
Sarabia are accused by the grand jury
of the United States of America,
chosen, selected and sworn within and
for the Second Judicial District of the
Territory of Arizona, in the name and
by the authority of the United States
of America, by this indictment with
the crime of conspiracy, committed as
(Continued on Page Eight.)

HARRIMAN AND MEXICO PARTNERS

Railroad Magnate Takes Over
Half Interest in the
Express Business

(Special to the Review.)
CITY OF MEXICO, April 29.—E. H.
Harriman and his associates, who
own the stock of Wells-Fargo & Co.,
have gone into partnership with the
Mexican government in the control
of the express business of Mexico. It
is announced that instead of the
Wells-Fargo Express company obtain-
ing a contract to exclusively op-
erate over the lines of the National
Railways of Mexico, it is to become a
minority stockholder in an entirely
new company, which is being organ-
ized for that purpose.

The federal government will own
the controlling stock in the new com-
pany and will direct its affairs. It
is now does those of the National
Railway of Mexico. The company will
be operated under the direction of the
present officials of the Wells-Fargo
company.

THREE WOMEN DROWN WHILE BATHING IN RIVER IN TEXAS

HENRIETTA, Texas, April 29.—
While bathing in the Little
Wichita river today Mrs. J. E.
Lebus, Miss Katherine Weaver
and Miss Mazelle Ellis were
caught in a strong undertow and
swept into a deep hole and
drowned. Half a dozen young
girls stood by and witnessed the
drowning, but were powerless to
render aid to the unfortunate
ones.

CALHOUN'S TRIAL NEARING END

Rapid Progress Made Yester-
day in Case Famous For
Many Delays

Will Be Submitted to Jury in
Short Time—Four Ex-
Supervisors Testify

SAN FRANCISCO, April 29.—The
trial of Patrick Calhoun advanced to-
ward completion today with a rapidity
almost miraculous. Four members of
the Schultz board of supervisors test-
ified their admissions of complicity
in the graft scandal of 1908, and a fifth
was on the stand when the hour of
adjournment arrived. Basing the es-
timate upon the records of previous
trials, it is expected now that the case
will be submitted to the jury within
three weeks, unless the case is dis-
tinguished from preceding trials by
the introduction of new witnesses.
The prosecution and defense had
disposed of James F. Kelley, Sam
Davis, Jennings J. Phillips and Pat-
rick McFadden during the day, and
Cornelius J. Harriman, the eighth
member of the Schultz board of su-
pervisors, summoned by the prosecu-
tion, had been returned to assistant
Prosecutor O'Quinn when adjournment
was taken until tomorrow.

ADA GRAND JURY
TAKING A REST

ADA, Okla., April 29.—The grand
jury investigating the lynching of
four cattlemen here on April 14 took
a recess today until May 19 without
returning any indictments. Impor-
tant evidence will be submitted when
the investigation is resumed.

INDICT FORMER EL PASO CHIEF

Edward M. Fink Charged By
Grand Jury With Smug-
gling in Chinese

Fails to Appear When His Case
Is Called and Loses
\$5,000 Bail

ROSWELL, N. M., April 29.—The
federal grand jury returned an in-
dictment today against Edward M.
Fink of El Paso, Texas, former chief
of police of that city, on the charge
of having conspired to smuggle Chi-
nese into the United States. Fink is
alleged to have carried on operations
from El Paso, bringing aliens into this
country from Mexico. Fink was given
a preliminary hearing here several
months ago and was bound over pend-
ing action by the federal grand jury.
He was subsequently released on
\$5,000 bond. He failed to appear to-
day and Judge W. P. Pope declared
the bond forfeited.

CAPTAIN OF WRECKED VESSEL SUICIDES

SAN FRANCISCO, April 29.—News
of the suicide of Captain J. F. Robin-
son of the Pacific Mail steamship In-
diana, which was recently wrecked at
the entrance to Magdalena bay, re-
ached this city this afternoon by
means of wireless message from one
of the vessels now at Magdalena. The
tragic deed was committed on Satur-
day night in the cabin of the Indiana,
now pounding to pieces on the rocks
where she stranded. Robinson had
been in command for 25 years.

ROYAL INFANT
ARRIVES AT THE HAGUE

THE HAGUE, April 29.—Queen
Wilhelmina gave birth to a daughter
this morning. Mother and child are doing
well.

ONE KILLED IN FAMILY FIGHT OVER RENT FOR HOUSE

ASHER, Okla., April 29.—A
brawl today between the fam-
ilies of Stanley Ware and Perry
Brewer over rent due Brewer
from Ware resulted in the kill-
ing of Ware. Brewer was fatally
wounded and Jesse Brewer, his son, was
seriously wounded. Clyde Ware,
son of the dead man, was shot
in the head. Sheriff Pierce and a
 posse came rather from Tecum-
seh, as more trouble is feared.

250 TURKS ARE EXECUTED

Constitutionalists Lose No
Time in Putting End
to Enemies

Madir Pasha, Second Eunuch
At Imperial Palace Hanged
At Dawn

CONSTANTINOPLE, April 29.—The
constitutionalists lost no time in
bringing its enemies of the recent
uprising to quick trial. Two hundred
and fifty were sentenced to quick
death and were executed. Nadir
Pasha, second eunuch at the palace,
whose sentence was pronounced yes-
terday, was hanged at dawn. The
government decided to send a com-
mission to Adana to try by court-
martial the investigators of the mas-
sacres. The committee is authorized
to act with the utmost severity.

THE METAL MARKET.

NEW YORK, April 29.—The Lon-
don tin market was about 2s 6d low-
er today with spot quoted at £132 7s.
6d and futures at £132 12s. 6d. The
local market was easy at \$29.10 1/2
29.25. Copper was a shade higher in
the London market, with spot quoted
at £57 10s. and futures at £58 3s.
9d. Locally the market was dull but
unchanged. Lake \$12.57 1/2 @ 13.00.
Electrolytic \$13.50 @ 12.62 1/2; castings,
\$12.37 @ 12.50. Lead was lower at £13
6s 6d in the London market. Lo-
cally the market was quiet at \$4.29
@ 4.25. Spelter was unchanged at
£21 12s 6d in London. The local
market was quiet at \$50 1/2 @ 50 7/8.

TACTICS THAT OF TRAIN WRECKER

Mexican Youth Arrested For
Sticking Spike Between
Joints of Rail

Vigilance of Trackwalker and
Special Officer Keep Harm
From Passengers

A reign of terror among railroad
employees has ended since Antonio Mo-
rellas, a Mexican youth of 16, was
arrested yesterday afternoon at Naco
for placing spikes upon the
track of the E. P. & S. W.
between that place and Osborn. Mo-
rellas was discharged, it is said. The ar-
rest was made by Special Officer S.
W. Hardwick of the E. P. & S. W.
force.

The first spike was found sticking
in a joint between two rails several
days ago. A train from either direc-
tion striking it would have probably
been derailed. The trackwalker who
discovered the fiendish contrivance
notified railroad officials and Hard-
wick was put on the case. For sev-
eral days he kept finding the spikes
on the section between Naco and Os-
born.

Yesterday he caught the youth in
the act of placing a spike between
the joints of a rail and took him
into custody. Although the boy re-
fused to divulge the nature of his
grievance, it is alleged that he was
angry because the section foreman
at Naco "fired" him about three
weeks ago. He secured work on the
next section but was compelled to
walk from Naco to Osborn each morn-
ing to his work. It is presumed that
becoming angry at having to take
so long a stroll each day he decided to
"get even." That he did not suc-
ceed was due only to the vigilance of
the trackwalker for that section and
the special officer assigned to the
case. The train crew's full relief
relieved over the arrest of Morellas.

SHORT SESSION FOR THE REPRESENTATIVES

Put in Eleven Minutes Yester-
day Earning Salary People
Pay Them

WASHINGTON, April 29.—The
house was in session for eleven min-
utes today. Mr. Wagner obtained per-
mission to have an editorial on the
Panama canal reprinted in the Rec-
ord.

Secretary of the Navy Meyer today
declared that the sixteen battleships
of the Atlantic fleet which had made
the voyage around the world, were in
excellent condition, due to the fact
that they were accompanied by a re-
pair ship throughout the trip. The
secretary said he had found that the
voyage ad cost only \$1,500,000 more
than if the battleships had been kept
at home.

THE WEATHER

WASHINGTON, April 29.—Fair on
Friday and Saturday.

KILLS WIFE AND CHILDREN AND THEN HIMSELF

Growsome Tragedy is Enacted
In Chinook, Montana By
Crazed Man

NOBODY WITNESSES
BRUTAL MURDERS

Horrible Deed Accomplished
With Rifle On Lonely
Ranch

CHINOOK, Mont., April 29.—News
was received here over the telephone
last night of a series of murders and
a suicide that originated at the fam-
ily of John Kirschewitz at a ranch
on Clear Creek, in the Bearpaw moun-
tains, at the home of ex-County Com-
missioner Alexander Ross. Kirschewitz,
who is a brother-in-law of Ross,
took his rifle, shot his wife and two
young sons and then killed himself.
There was no one at home at the
time of the gruesome tragedy ex-
cept the victims. Kirschewitz is be-
lieved to have been insane.

SHIPPED TESTIFIES IN
GOVERNMENT'S BIG SUIT

SALT LAKE, Utah, April 29.—In
the hearing of the suit to dissolve
the merger of the Harriman lines, J.
W. Summerhayes, a wholesale wool
and hide dealer, testified that when
he wanted to make a shipment over
the Denver and Rio Grande, he was
unable to get a car set out on his
switch for three or four days, but an
order for the Oregon Short Line was
filed immediately. Mr. Summer-
hayes also testified that a gradual
evolution of rates had followed the
merger of lines in 1901 and that com-
petition had practically ceased. He also
testified that he could be shipped
from points south of Salt Lake to
Los Angeles and thence back to Bos-
ton cheaper than via Salt Lake to
Boston.

ATTACKS LEGALITY OF
SPOKANE GRAND JURY

SPOKANE, Wash., April 29.—An
attack upon the legality of the grand
jury which has indicted Judge M. B.
Gordon and trustees of the Pacific
Livestock company are made in a pa-
per filed today by J. H. Shively, state
insurance commissioner. Shively
desires to quash the indictment charg-
ing him with embezzlement, and al-
leges among other things that the
jury was improperly drawn. Prosecu-
ting Attorney Fugh was fined \$10
and Deputy Prosecutor Pelletier \$5
by Judge Huecke today for contempt,
having admitted taking shorthand
notes of testimony given before the
grand jury in spite of contrary in-
structions by the both. Both ap-
pealed.

SPECULATIVE CONFIDENCE
WAS NOT IN EVIDENCE

NEW YORK, April 29.—The over-
flowing speculative confidence which
made itself so strongly felt in the
stock market yesterday has subsided
today. The effort to stop the specu-
lators to realize their profits found so
inconsiderable a demand that prices
gave way before the attempt. The
cessation of the important selling when
the decline in prices have gone but
a little way led to an interference
of a strong undertone for the market.
But this manifestation stopped at a
negative impression. Arrangements
of the May 1st payments did not lift
the call money rate above 2 per cent,
and time money was reported easier.
Bonds were firm. Total sales, \$6-
430,000. United States bonds un-
changed on call.

SIX PEOPLE INJURED
IN ARKANSAS TORNADO

FORT SMITH, Ark., April 29.—At
least six persons were seriously in-
jured late this afternoon in a torn-
ado which passed over Washington
and Crawford counties. At Kibler,
eight houses were wrecked and great
damage was done to crops. It was
reported that the village of Harrol-
ton was blown away. The tornado
was severe at Dyer and Springdale,
where it was feared that lives had
been lost.

WILL INVESTIGATE LAND FRAUD CASES

New Grand Jury To Meet At
Tulsa, Oklahoma
May 10th

TULSA, Okla., April 29.—A new
grand jury was called this afternoon
to meet in Tulsa on Monday, May 10,
to re-investigate the Muskogee land
fraud cases.
Governor Charles N. Haskell and
six other prominent Oklahomans were
indicted at Muskogee last January
charged with a alleged conspiracy to
derail the federal government and
the Creek Indian nation in connection
with Muskogee town lots. The indict-
ments were quashed on April 10.